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Civil/Criminal CM/ECF System
District Court of Guam (Hagatna)
CRIMINAL DOCKET FOR CASE #: 1:24-mj-00142 All Defendants

Case title: USA v. Rahman

Date Filed: 11/13/2024

Assigned to: Chief Judge Frances M.
Tydingco-Gatewood

Defendant (1)

Asif William Rahman

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Brett C. Reynolds**
U.S. Department of Justice
National Security Division
Washington, DC 20530
202-233-2113
Email: Brett.Reynolds@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Other

Date Filed	#	Docket Text
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11/13/2024	<u>1</u>	Petition for Writ of Removal as to Asif William Rahman. (wmt,) (Main Document 1 replaced on 11/14/2024) (hpg,). (Entered: 11/13/2024)
11/13/2024		Set/Reset Hearings as to Asif William Rahman: Initial Appearance on a Petition for Writ of Removal is set for 11/14/2024 at 04:00 PM in 4th Floor Courtroom before Chief Judge Frances M. Tydingco-Gatewood. (wmt,) (Entered: 11/13/2024)
11/14/2024	<u>2</u>	Minute Entry for proceedings held before Chief Judge Frances M. Tydingco-Gatewood: Initial Appearance on Petition for Writ of Removal as to Asif William Rahman held on 11/14/2024. Ms. Lujan made limited appearance for defendant. Defendant waived identity and consented to transfer to the Eastern District of Virginia. Writ of Removal executed. Defendant to be detained. Ms. Lujan's request for expedited transfer was granted. (Court Reporter Veronica Flores)(Start Time: 4:20, End Time: 4:39) (lth) (Entered: 11/14/2024)
11/14/2024	<u>3</u>	Waiver of Identity filed by Asif William Rahman. (lth) (Entered: 11/14/2024)
11/14/2024	<u>4</u>	Order as to Asif William Rahman. Signed by Chief Judge Frances M. Tydingco-Gatewood on 11/14/2024. (lth) (Entered: 11/14/2024)
11/14/2024	<u>5</u>	Writ of Removal to Eastern District of Virginia Issued as to Asif William Rahman. Signed by Chief Judge Frances M. Tydingco-Gatewood on 11/14/2024. (lth) (Entered: 11/14/2024)

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Attorneys for the United States of America

IN THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASIF WILLIAM RAHMAN,

Defendant.

MAGISTRATE CASE NO. 24-00142

WRIT OF REMOVAL

TO: U.S. MARSHAL
District of Guam

An Indictment for Defendant, ASIF WILLIAM RAHMAN, having been filed in the United States District Court for the Eastern District of Virginia, Criminal Case No. 1:24-cr-249, charging him with two counts of Willful Retention and Transmission of National Defense Information in violation of 18 U.S.C. § 793(e) and a Warrant for Arrest having been issued for his arrest, and

Said Defendant, ASIF WILLIAM RAHMAN, having been arrested and brought to this District on a warrant of arrest issued pursuant to the above Indictment, admitted identity, and to being held to answer in the Eastern District of Virginia, Defendant, ASIF WILLIAM RAHMAN,

1 is committed to your custody pending removal to the Eastern District of Virginia;

2 You are therefore commanded to remove ASIF WILLIAM RAHMAN, forthwith to the
3 Eastern District of Virginia and there deliver him to the United States Marshal for the District or
4 to some other officer authorized to receive him.

5 IT IS SO ORDERED.



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Nov 14, 2024



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FILED
DISTRICT COURT OF GUAM

NOV 13 2024

JEANNE G. QUINATA
CLERK OF COURT

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

MAGISTRATE CASE NO.

24-00142

Plaintiff,

PETITION FOR WRIT OF REMOVAL

vs.

ASIF WILLIAM RAHMAN,

Defendant.

Petitioner, United States Attorney for the District of Guam, respectfully shows this Court that:

1. On November 7, 2024, the United States District Court for the Eastern District of Virginia filed an Indictment charging the Defendant, ASIF WILLIAM RAHMAN ("Defendant") with two counts of Willful Retention and Transmission of National Defense Information in violation of 18 U.S.C. § 793(e).

2. On November 7, 2024, the United States District Court for the Eastern District of Virginia issued a Warrant of Arrest for the Defendant to be brought to the Eastern District of Virginia, to answer to the charges of the Indictment. A copy of the Indictment and Warrant of Arrest are attached and incorporated herein as Exhibit 1.

3. On November 12, 2024, the Defendant was arrested in Cambodia and brought to

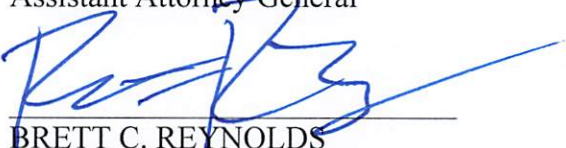
Guam.

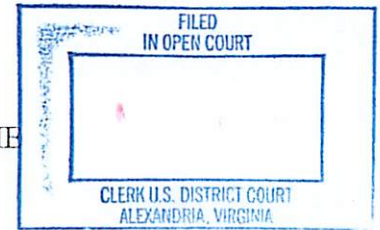
WHEREFORE, petitioner prays this Court to issue a Writ of Removal pursuant to Rule 5(c) of the Federal Rules of Criminal Procedure, for said Defendant from the District of Guam to the Eastern District of Virginia.

DATED this 13th day of November, 2024.

MATTHEW G. OLSEN
Assistant Attorney General

By:


BRETT C. REYNOLDS
Trial Attorney
Counterintelligence and Export Control Section
National Security Division



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	Case No. 1:24-cr-249
)	
v.)	Count One: 18 U.S.C. § 793(e)
)	(Willful Retention and Transmission of
ASIF WILLIAM RAHMAN,)	National Defense Information)
)	
<i>Defendant.</i>)	Count Two: 18 U.S.C. § 793(e)
)	(Willful Retention and Transmission of
)	National Defense Information)

INDICTMENT

November 2024 Term—Alexandria, Virginia

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

At all times material to this indictment:

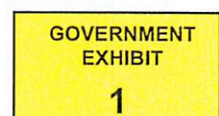
The Defendant

1. Defendant **ASIF WILLIAM RAHMAN** (“**RAHMAN**”) was employed by the U.S. Government. In connection with his employment, **RAHMAN** held a TOP SECRET//Sensitive Compartmented Information security clearance and had access to classified information and information relating to the national defense (“National Defense Information”).

Classified Information

2. National security information was information owned by, produced by, produced for, and under the control of the United States government. Pursuant to Executive Order 12958 signed on April 17, 1995, as amended by Executive Order 13292 on March 25, 2003, and Executive Order 13526 on December 29, 2009, national security information was classified as “TOP SECRET,” “SECRET,” or “CONFIDENTIAL,” as follows:

- a. Information was classified as TOP SECRET if the unauthorized disclosure of that information reasonably could be expected to cause exceptionally grave damage to



the national security that the original classification authority was able to identify or describe.

- b. Information was classified as SECRET if the unauthorized disclosure of that information reasonably could be expected to cause serious damage to the national security that the original classification authority was able to identify or describe.
- c. Information was classified as CONFIDENTIAL if the unauthorized disclosure of that information reasonably could be expected to cause damage to the national security that the original classification authority was able to identify or describe.

3. Classified information related to intelligence sources, methods, and analytical processes was designated as Sensitive Compartmented Information ("SCI"). SCI was to be processed, stored, used, or discussed in an accredited Sensitive Compartmented Information Facility ("SCIF"), and only individuals with the appropriate security clearance and additional SCI permissions could have authorized access to such classified national security information.

4. Classified information, including SCI, was marked according to its classification and applicable SCI compartments, following standard formats for different types of media, including headers and footers stating the highest classification level.

5. Pursuant to Executive Order 13526, information classified at any level could be lawfully accessed only by persons determined by an appropriate United States government official to be eligible for access to classified information, who had signed an approved non-disclosure agreement, who received a security clearance, and who had a "need to know" the classified information. Classified information could only be stored or discussed in an approved facility.

COUNT ONE

(Willful Transmission of National Defense Information)

6. The General Allegations above are fully incorporated here by reference.

7. On or about October 17, 2024, in an offense committed outside of the jurisdiction of any particular State or district of the United States, including Phnom Penh, Cambodia, within the extraterritorial jurisdiction of the United States and therefore within the venue of the United States District Court of the Eastern District of Virginia pursuant to Title 18, United States Code, Section 3238, as the District of the last known residence of the offender, defendant

ASIF WILLIAM RAHMAN

having unauthorized possession of, access to, and control over a classified document relating to the national defense, willfully retained the document and failed to deliver it to the officer or employee of the United States entitled to receive it, and attempted to and did, in fact, willfully communicate, deliver, transmit, and cause to be communicated, delivered, and transmitted that document to a person not entitled to receive it, to wit, a document marked as classified at the TOP SECRET//SCI level which contained information relating to the national defense ("Document 1").

(In violation of Title 18, United States Code, Section 793(e)).

COUNT TWO

(Willful Transmission of National Defense Information)

8. The General Allegations above are fully incorporated here by reference.

9. On or about October 17, 2024, in an offense committed outside of the jurisdiction of any particular State or district of the United States, including Phnom Penh, Cambodia, within the extraterritorial jurisdiction of the United States and therefore within the venue of the United States District Court of the Eastern District of Virginia pursuant to Title 18, United States Code, Section 3238, as the District of the last known residence of the offender, defendant

ASIF WILLIAM RAHMAN

having unauthorized possession of, access to, and control over a classified document relating to the national defense, willfully retained the document and failed to deliver it to the officer or employee of the United States entitled to receive it, and attempted to and did, in fact, willfully communicate, deliver, transmit, and cause to be communicated, delivered, and transmitted that document to a person not entitled to receive it, to wit, a document marked as classified at the TOP SECRET//SCI level which contained information relating to the national defense ("Document 2").

(In violation of Title 18, United States Code, Section 793(e)).

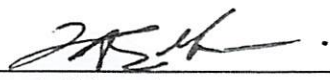
A TRUE BILL

REDACTED

JESSICA D. ABER
United States Attorney

MATTHEW G. OLSEN
Assistant Attorney General

By:


Troy A. Edwards
Anthony Rodregous
Assistant United States Attorneys

Brett Reynolds
Trial Attorney
Counterintelligence and Export Control Section
National Security Division

FORM OBD-34
APR. 91

No.: 1:24-CR-249

UNITED STATES DISTRICT COURT

Eastern District of Virginia

Alexandria Division

THE UNITED STATES OF AMERICA

v.

ASIF WILLIAM RAHMAN

INDICTMENT

Count 1: Willful Transmission of National Defense Information, in violation of 18 U.S.C. § 793(e)

Count 2: Willful Transmission of National Defense Information, in violation of 18 U.S.C. § 793(e)

A true bill.

REDACTED

Filed in open court this 7 day,
of NOV A.D. 20 24

Clerk

Bail, \$

11736273

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

United States of America

v.

ASIF WILLIAM RAHMAN

UNDER SEAL

Case No. 1:24-CR-249

2024 NOV 06 10:07
UNITED STATES MARSHAL

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) ASIF WILLIAM RAHMAN

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

The defendant willfully transmitted national defense information, in violation of Title 18, United States Code, Section 793(e).

Date: 11/7/24

City and state: Alexandria, VA

Dani Zirk

Issuing officer's signature

Dani Zirk - Deputy Clerk

Printed name and title

INFORMATION
COPY ONLY

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date:

NOTICE: BEFORE ARREST, VALIDATE
THROUGH NCIC. ORIGINAL
HELD BY U.S. MARSHAL.

Arresting officer's signature

Printed name and title

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
GENERAL**

CASE NO.: MJ-24-00142

DATE: November 14, 2024

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Judith P. Hattori / Julian Burlando Salazar

Court Reporter: Veronica Flores

Courtroom Deputy: Virginia T. Kilgore / Anna Perez

Hearing Times: 4:20 - 4:39

APPEARANCES:

Defendant: Asif William Rahman

Attorney: Leilani Lujan

☒ Present ☒ Custody ☐ Bond ☐ P.R.

☒ Present ☐ Retained ☒ FPD ☐ CJA

U.S. Attorney: Brett Reynolds and Shawn N. Anderson

U.S. Agent: Keith Starr, FBI

U.S. Probation: Trina Duenas

Interpreter:

Language:

PROCEEDINGS: Initial Appearance on Petition for Writ of Removal

- Ms. Lujan made a limited appearance for the defendant for purposes of his initial appearance and stated that she would not request reimbursement for her services.
- Defendant waived an identity hearing and consented to his transfer to the Eastern District of Virginia.
- Mr. Reynolds and USPO recommended detention. Ms. Lujan did not object to detention pending transfer to the Eastern District of Virginia.
- Writ of Removal executed by Court. Ms. Lujan's request for an expedited transfer granted.

NOTES:

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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASIF WILLIAM RAHMAN,

Defendant.

MAGISTRATE CASE NO.

WAIVER OF IDENTITY

FILED
DISTRICT COURT OF GUAM

NOV 14 2024

JEANNE G. QUINATA
CLERK OF COURT

24-00142


The Defendant, ASIF WILLIAM RAHMAN, after advice of counsel, waives an identity hearing and consents to an issuance of an Order requiring his appearance in the Eastern District of Virginia where there is a warrant outstanding for his arrest.

DATE: 11/14/24


ASIF WILLIAM RAHMAN
Defendant

MATTHEW G. OLSEN
Assistant Attorney General

By:


BRETT C. REYNOLDS
Trial Attorney
Counterintelligence and Export Control Section
National Security Division

SHAWN N. ANDERSON
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Attorneys for the United States of America

IN THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASIF WILLIAM RAHMAN,

Defendant.

MAGISTRATE CASE NO. 24-00142

ORDER

Defendant ASIF WILLIAM RAHMAN having been arrested on a Warrant of Arrest and having waived identity, ASIF WILLIAM RAHMAN, is committed to the U.S. Marshal's Service for the District of Guam for removal to the Eastern District of Virginia and there deliver him to the U.S. Marshal for the Eastern District of Virginia or to some other officer authorized to receive him.

IT IS SO ORDERED.



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Nov 14, 2024

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Attorneys for the United States of America

IN THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASIF WILLIAM RAHMAN,

Defendant.

MAGISTRATE CASE NO. 24-00142

WRIT OF REMOVAL

TO: U.S. MARSHAL
District of Guam

An Indictment for Defendant, ASIF WILLIAM RAHMAN, having been filed in the United States District Court for the Eastern District of Virginia, Criminal Case No. 1:24-cr-249, charging him with two counts of Willful Retention and Transmission of National Defense Information in violation of 18 U.S.C. § 793(e) and a Warrant for Arrest having been issued for his arrest, and

Said Defendant, ASIF WILLIAM RAHMAN, having been arrested and brought to this District on a warrant of arrest issued pursuant to the above Indictment, admitted identity, and to being held to answer in the Eastern District of Virginia, Defendant, ASIF WILLIAM RAHMAN,

1 is committed to your custody pending removal to the Eastern District of Virginia;

2 You are therefore commanded to remove ASIF WILLIAM RAHMAN, forthwith to the
3 Eastern District of Virginia and there deliver him to the United States Marshal for the District or
4 to some other officer authorized to receive him.

5 IT IS SO ORDERED.



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Nov 14, 2024